

Minutes
Town of Lake Park, Florida
Town Commission Meeting
August 4, 2004 7:30 p.m.
Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Town Commission Meeting on Wednesday, August 4, 2004 at 7:30 p.m. Present were Mayor Castro, Vice-Mayor Balias, Commissioners Carey, Daly and Garretson, Town Manager Doug Drymon, Town Attorney Thomas Baird and Interim Town Clerk Stephanie Thomas.

Mayor Castro led the Invocation
Commissioner Carey led the Pledge of Allegiance.
Interim Town Clerk Stephanie Thomas performed the Roll Call.

ADDITIONS/DELETIONS

Town Manager Drymon requested that Item No. M-11 be moved to Commissioner Comments.

MOTION: A motion was made by Commissioner Garretson to approve the Agenda as amended. Vice Mayor Balias made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Carey	X		
Commissioner Daly	X		
Vice Mayor Balias	X		
Mayor Castro	X		

Motion passed 5-0.

PRESENTATIONS

Proclamation for William E. Brant

Mayor Castro presented a proclamation in honor of former Mayor of the Town of Lake Park, Mr. William Brant. Mr. Brant's wife gladly accepted the proclamation and expressed how grateful she was to receive it.

MOTION: A motion was made by Vice Mayor Balius to approve the Proclamation for William Brant. Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Carey	X		
Commissioner Daly	X		
Vice Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

Proclamation for Carol Simpkins

Mayor Castro presented a proclamation in honor of former Town Clerk Carol Simpkins.

MOTION: A motion was made by Vice Mayor Balius to approve the Proclamation for Carol J. Simpkins. Commissioner Garretson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Carey	X		
Commissioner Daly	X		
Vice Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

PUBLIC COMMENT

The following person(s) addressed the Commission:

Richard Day, 1301 10th Street inquired about the Lake Park Harbor Marina Restaurant Request for Proposals.

Richard Ahrens, 1461 Kinetic Road expressed concern with code violations as well as the crime on Park Avenue.

Richard Goodsell, 410 9th Street inquired about the zoning and land uses on 10th Street. He stated that he was under the impression that the land was sold as commercial property.

Bert Bostrom, 1451 Flagler Boulevard stated that someone from the Town called Post Times and provided them with the wrong information as it pertains to the soccer registration for 2004. She stated that soccer registration will be on August 21, 2004.

Desca Dubois, 516 Sabal Palm Drive commented in support of the Mos'Art Center. She stated that in the past several businesses were reluctant to come to Lake Park in that they felt there was selective code enforcement. Ms. Dubois expressed that she did not want to see that happen again.

Jay Basist, 700 Park Avenue indicated that he is an employee of the Mos'Art Center, he expressed that it is a great place to work. He state that he is in support of the business remaining in operation.

CONSENT AGENDA

Commission Meeting Minutes of July21, 2004.

MOTION: **A motion was made by Vice Mayor Balius to adopt the Consent Agenda. Commissioner Garretson made the second.**

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

ORDINANCES ON FIRST READING

ORDINANCE NO. 15-2004

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, CREATING ARTICLE V, SECTION 1, TO BE ENTITLED "NAMING OF TOWN FACILITIES" OF THE TOWN CHARTER; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: A motion was made by Vice Mayor Balius to approve Ordinance 15-2004. Commissioner Garretson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

ORDINANCES ON SECOND READING/ADOPTION

ORDINANCE NO. 14-2004

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK, CHAPTER 4, SECTION 4-1, ENTITLED "DEFINITIONS; AMENDING CHAPTER 4, SECTION 4-2, ENTITLED "DRINKING IN PUBLIC PLACES; AMENDING CHAPTER 4, SECTION 4-3, ENTITLED "SALE NEAR CHURCHES, SCHOOLS, ETC.; AMENDING CHAPTER 4, SECTION 4-5, ENTITLED "HOURS OF SALE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Hearing opened.

Rachelle McBride, Attorney for the Mos'Art Center commented pertaining to the Mos'Art center code enforcement concern. Ms. McBride felt that if Ordinance 14.2004 was

adopted that the Kelsey Club would no longer be operative. Mayor Castro explained to her that the amendment to the Ordinance does not affect her client if the business is in compliance with the Town Code.

MOTION: A motion was made by Vice Mayor Balius to adopt Ordinance No. 14-2004 Commissioner Garretson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTIONS

RESOLUTION NO. 42-7-2004

A RESOLUTION OF THE COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA; PROVIDING A COLLECTION SCHEDULE AND SCHEDULE OF FEES AND CHARGES FOR RESIDENTIAL, GOVERNMENTAL AND COMMERCIAL REFUSE AND RECYCLABLES COLLECTION SERVICES; PROVIDING FOR LATE FEES, FREQUENCY OF BILLING AND OTHER MATTERS RELATING TO COLLECTION POLICY; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

Public Hearing opened

No speakers

Public Hearing closed.

MOTION: A motion was made by Vice Mayor Balius to approve Resolution No. 42-07-04. Commissioner Carey made the second.

Vote on Motion:

Commission Member	Yes	No	Other

Commissioner Daly	X		
Commissioner Garretson	X		
Commissioner Carey	X		
Vice Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTION NO. 43-7-2004

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ABANDONING JASMINE DRIVE, EFFECTIVE UPON AND SUBJECT TO THE PERFORMANCE OF CERTAIN CONDITIONS ESTABLISHED BY THE TOWN COMMISSION; PROVIDING FOR AN EFFECTIVE DATE.

Public Hearing opened

Bruce Witherspoon, 341 Orange Way, West Palm Beach suggested a use for the proposed site.

Public Hearing closed.

MOTION: A motion was made by Commissioner Carey to approve Resolution No. 43-07-04. Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Daly	X		
Commissioner Garretson	X		
Commissioner Carey	X		
Vice Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTION NO. 44-07-2004

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT BETWEEN PALM BEACH COUNTY FOR THE USE AND BENEFIT OF ITS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, AND THE TOWN OF LAKE PARK; AND PROVIDING AN EFFECTIVE DATE

MOTION: A motion was made by Commissioner Daly to approve Resolution No. 44-07-2004. Vice Mayor Balias made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Daly	X		
Commissioner Garretson	X		
Commissioner Carey	X		
Vice Mayor Balias	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTION NO. 46-07-2004

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT 1 TO THE GAS TAX INTERLOCAL AGREEMENT; PROVIDING AN EFFECTIVE DATE.

MOTION: A motion was made by Commissioner Carey to approve Resolution No. 46-07-04. Vice Mayor made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Daly	X		
Commissioner Garretson	X		

Commissioner Carey	X		
Vice Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTION NO. 47-07-2004

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT 2 TO THE GAS TAX INTERLOCAL AGREEMENT; PROVIDING AN EFFECTIVE DATE.

MOTION: A motion was made by Commissioner Garretson to approve Resolution No. 47-07-04. Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Daly	X		
Commissioner Garretson	X		
Commissioner Carey	X		
Vice Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

QUASI-JUDICIAL PUBLIC HEARING(S):

Interim Town Clerk Stephanie Thomas swore in the witnesses.

RESOLUTION NO.45-07-2004

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN FOR A 0.61-ACRE PARCEL OF LAND, OWNED BY CAT RAN BONE, INC., LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF 10TH STREET AND GREENBRIAR COURT, FOR APPROXIMATELY 6,000 SQUARE FEET OF OFFICE/RETAIL BUILDING, PROVIDING FOR CONDITIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The following members of the Commission declared the following exparte communication:

Commissioner Jeff Carey	NONE
Commissioner Ed Daly	NONE
Commissioner Paul Garretson	NONE
Vice Mayor Balius	NONE
Mayor Paul Castro	Mayor Castro spoke to Commissioner James Exline of West Palm Beach regarding the desired architecture of the proposed site.

Jamie Gentile, Interim Community Development Director provided a Power Point presentation. (see exhibit A)

MOTION: **A motion was made by Vice Mayor Balius to approve Resolution No. 45-07-04. Commissioner Daly made the second.**

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Daly	X		
Commissioner Garretson	X		
Commissioner Carey	X		
Vice Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

DISCUSSION AND POSSIBLE ACTION:

Appointments to the Lake Harbor Marina Advisory Board

Joseph Sibley was reappointed and Ronnie Lee Cohen was appointed as an alternate member to the Lake Harbor Marina Board.

COMMENTS BY COMMISSION, TOWN MANAGER AND TOWN ATTORNEY

Mayor Castro

Mayor Castro stated that he spoke at the Neighbor Awareness Group (NAG) meeting on July 27, 2004. He indicated that the reporter from the Palm Beach Post did not grasp the purpose of the meeting and wrote only pertaining to the crime in Lake Park as opposed to what he had communicated as his vision for the Town.

Mayor Castro also expressed his desire for improvements as it pertains to the Decorative Christmas lighting in the Town.

Vice Mayor Balius

Vice Mayor Balius indicated that he would like to have the NAG officially address the Town Commission with their purpose and to report all of their activities within the community.

Vice Mayor Balius also stated that he would like to see work done to the drainage on Silver Beach Road. Mayor Castro's response was that it is a County project, therefore the County needs to complete the work.

Vice Mayor Balius was concerned that the vending machine in the back of the Commission Chambers is too loud for constituents to hear the speakers.

Commissioner Garretson

None.

Commissioner Daly

Commissioner Daly inquired about the status of the Lake Park Harbor Marina. Town Attorney Baird requested that the Town Commission give him direction to conduct the marina issue with the state alone with no interference from the members of the Commission. Commissioner Daly stated that he is not trying to cause problems or hinder the restaurant from built, however he would like a definite answer so that the public will know if there will be a restaurant or not.

Commissioner Jeff Carey

None.

Town Manager Drymon

Town Manager Drymon indicated that the Planning and Zoning Board had requested why the master plan for Town Hall was not given to them for approval.

Town Attorney Thomas Baird

Town Attorney Thomas Baird reported to the Commission that the process for the Stipulation has to be treated as a Quasi-Judicial hearing. Town Attorney Baird requested that the Commission provide him with consensus to move forward with the Stipulation.

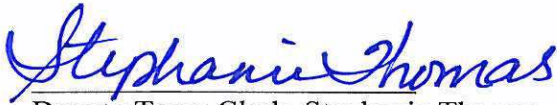
Town Attorney Baird was directed to move forward with the order of final judgment as it pertains to the firefighter's pension. He stated that staff has identified a new code violation and will consolidate all other violations so that they come before the Special Master at one time.

ADJOURNMENT:

There being no further business to come before the Commission, after a motion to adjourn by, Vice Mayor Balias seconded by Commissioner Garretson, and by unanimous vote, the meeting adjourned at 9:05 p.m.

A handwritten signature in blue ink, appearing to read "Paul Castro", written over a horizontal line.

Mayor Paul Castro

A handwritten signature in blue ink, appearing to read "Stephanie Thomas", written over a horizontal line.

Deputy Town Clerk, Stephanie Thomas

Approved on this 18th day of August 2004.



Town of Lake Park Public Comment Card

Meeting Date: _____

**CARDS MUST BE SUBMITTED BEFORE THE ITEM IS
DISCUSSED!**

*****3 MINUTE TIME LIMITATION ON ALL COMMENTS*****

Name: _____

Address: _____

I would like to make comments on the following AGENDA ITEM(S):

I would like to make comments on the following NON-AGENDA ITEM(S):

INSTRUCTIONS: PLEASE FILL OUT THIS CARD, INCLUDING NAME AND ADDRESS, AND
GIVE TO THE TOWN CLERK. THE MAYOR WILL CALL YOUR NAME WHEN IT IS TIME FOR
YOU TO SPEAK. Comments must be limited to no more than three minutes per individual.

1



Town of Lake Park Public Comment Card

Meeting Date: _____

CARDS MUST BE SUBMITTED BEFORE THE ITEM IS

DISCUSSED!

*****3 MINUTE TIME LIMITATION ON ALL COMMENTS*****

Name: RICK GODSELL

Address: 410 NW 457

I would like to make comments on the following AGENDA ITEM(S):

I would like to make comments on the following NON-AGENDA ITEM(S):

ZONING OF PARCEL ON S. 10TH 457

INSTRUCTIONS: PLEASE FILL OUT THIS CARD, INCLUDING NAME AND ADDRESS, AND GIVE TO THE TOWN CLERK. THE MAYOR WILL CALL YOUR NAME WHEN IT IS TIME FOR YOU TO SPEAK. Comments must be limited to no more than three minutes per individual.



Town of Lake Park Public Comment Card

Meeting Date: 8/4/04

**CARDS MUST BE SUBMITTED BEFORE THE ITEM IS
DISCUSSED!**

*****3 MINUTE TIME LIMITATION ON ALL COMMENTS*****

Name: Best Boston

Address: 1451 Flamingo Blvd AP

I would like to make comments on the following AGENDA ITEM(S):

I would like to make comments on the following NON-AGENDA ITEM(S):

Correct AYSO Registration fee
Thank you Card

INSTRUCTIONS: PLEASE FILL OUT THIS CARD, INCLUDING NAME AND ADDRESS, AND GIVE TO THE TOWN CLERK. THE MAYOR WILL CALL YOUR NAME WHEN IT IS TIME FOR YOU TO SPEAK. Comments must be limited to no more than three minutes per individual.



Town of Lake Park Public Comment Card

Meeting Date: _____

**CARDS MUST BE SUBMITTED BEFORE THE ITEM IS
DISCUSSED!**

*****3 MINUTE TIME LIMITATION ON ALL COMMENTS*****

Name: _____

Address: _____

I would like to make comments on the following **AGENDA ITEM(S)**:

Ordinance 1 Mas Soft / Kidsey Club

I would like to make comments on the following **NON-AGENDA ITEM(S)**:

INSTRUCTIONS: PLEASE FILL OUT THIS CARD, INCLUDING NAME AND ADDRESS, AND
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YOU TO SPEAK. Comments must be limited to no more than three minutes per individual.



Town of Lake Park Public Comment Card

Meeting Date: _____

**CARDS MUST BE SUBMITTED BEFORE THE ITEM IS
DISCUSSED!**

*****3 MINUTE TIME LIMITATION ON ALL COMMENTS*****

Name: _____

Address: _____

I would like to make comments on the following AGENDA ITEM(S):

MOSART CENTER

I would like to make comments on the following NON-AGENDA ITEM(S):

INSTRUCTIONS: PLEASE FILL OUT THIS CARD, INCLUDING NAME AND ADDRESS, AND GIVE TO THE TOWN CLERK. THE MAYOR WILL CALL YOUR NAME WHEN IT IS TIME FOR YOU TO SPEAK. Comments must be limited to no more than three minutes per individual.



Town of Lake Park Public Comment Card

Meeting Date: Aug. 8th

**CARDS MUST BE SUBMITTED BEFORE THE ITEM IS
DISCUSSED!**

*****3 MINUTE TIME LIMITATION ON ALL COMMENTS*****

Name: Rachelle McBride

Address: affinity for Moz'Art

I would like to make comments on the following AGENDA ITEM(S):

14-2004

I would like to make comments on the following NON-AGENDA ITEM(S):

INSTRUCTIONS: PLEASE FILL OUT THIS CARD, INCLUDING NAME AND ADDRESS, AND
GIVE TO THE TOWN CLERK. THE MAYOR WILL CALL YOUR NAME WHEN IT IS TIME FOR
YOU TO SPEAK. Comments must be limited to no more than three minutes per individual.



Town of Lake Park Public Comment Card

Meeting Date: Aug

CARDS MUST BE SUBMITTED BEFORE THE ITEM IS

DISCUSSED!

*****3 MINUTE TIME LIMITATION ON ALL COMMENTS*****

Name: Beverly Hersh

Address: 34 Orange Way West Palm Beach

I would like to make comments on the following AGENDA ITEM(S):

Stewart 10701a

I would like to make comments on the following NON-AGENDA ITEM(S):

INSTRUCTIONS: PLEASE FILL OUT THIS CARD, INCLUDING NAME AND ADDRESS, AND GIVE TO THE TOWN CLERK. THE MAYOR WILL CALL YOUR NAME WHEN IT IS TIME FOR YOU TO SPEAK. Comments must be limited to no more than three minutes per individual.

2



Town of Lake Park Public Comment Card

Meeting Date: August 4, 04

CARDS MUST BE SUBMITTED BEFORE THE ITEM IS
DISCUSSED!
3 MINUTE TIME LIMITATION ON ALL COMMENTS

Name: Sue - Ellen D. Weller

Address: 700 Park Avenue

I would like to make comments on the following AGENDA ITEM(S):
Ordinance 14-2004

I would like to make comments on the following NON-AGENDA ITEM(S):

INSTRUCTIONS: PLEASE FILL OUT THIS CARD, INCLUDING NAME AND ADDRESS, AND GIVE TO THE TOWN CLERK. THE MAYOR WILL CALL YOUR NAME WHEN IT IS TIME FOR YOU TO SPEAK. Comments must be limited to no more than three minutes per individual.

(4)



Town of Lake Park Public Comment Card

Meeting Date: 8-4-04

CARDS MUST BE SUBMITTED BEFORE THE ITEM IS DISCUSSED!
*****3 MINUTE TIME LIMITATION ON ALL COMMENTS*****

Name: Tina Cirila
Address: 200 Park Avenue
I would like to make comments on the following **AGENDA ITEM(S)**:
14-2004

I would like to make comments on the following **NON-AGENDA ITEM(S)**:

INSTRUCTIONS: PLEASE FILL OUT THIS CARD, INCLUDING NAME AND ADDRESS, AND GIVE TO THE TOWN CLERK. THE MAYOR WILL CALL YOUR NAME WHEN IT IS TIME FOR YOU TO SPEAK. Comments must be limited to no more than three minutes per individual.

Ballot

Board Member Appointment
Commission Meeting of

~~April 7, 2004~~

August 4, 2004

Carey

Mayor/Commissioner

The following positions are vacant:

2 Regular Memberships on the Lake Park Harbor-Marina Advisory Board

Reappointment of:

Jim Knox

Yes ☒

No ☐

Joseph Sibley

Yes ☐

No ☒

Possible new appointments

Kelleen Allen

Yes ☐

No ☒

Ronnie Lee Cohen

Yes ☒

No ☐

All are current members asking for reappointment

Ballot

Board Member Appointment
Commission Meeting of

~~April 7, 2004~~ August 4, 2004

BALUS

Mayor/Commissioner

The following positions are vacant:

2 Regular Memberships on the Lake Park Harbor-Marina Advisory Board

Reappointment of:

Jim Knox

Yes ☒

No ☐

Joseph Sibley

Yes ☐

No ☐

Possible new appointments

Kelleen Allen

Yes ☐

No ☐

Ronnie Lee Cohen

Yes ☒

No ☐

All are current members asking for reappointment

Ballot

Board Member Appointment
Commission Meeting of

~~April 7, 2004~~

August 4, 2004

Mayor/Commissioner

The following positions are vacant:

2 Regular Memberships on the Lake Park Harbor-Marina Advisory Board

Reappointment of:

Jim Knox

Yes ☒

No ☒

Joseph Sibley

Yes ☒

No ☐

Possible new appointments

Kelleen Allen

Yes ☒

No ☒

Ronnie Lee Cohen

Yes ☒

No ☐

All are current members asking for reappointment

Ballot

Board Member Appointment
Commission Meeting of

~~April 7, 2004~~

August 4, 2004


Mayor/Commissioner

The following positions are vacant:

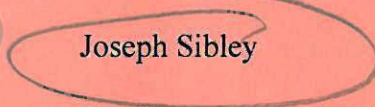
2 Regular Memberships on the Lake Park Harbor-Marina Advisory Board

Reappointment of:

Jim Knox

Yes 


No 

Joseph Sibley

Yes 

No _____

Possible new appointments

Kelleen Allen

Yes 

No 

Ronnie Lee Cohen

Yes 

No _____

All are current members asking for reappointment